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**2298 DRIFTWOOD TIDE TRUST**  
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8

9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA

11 \*\*\*

12 THE BANK OF NEW YORK MELON fka )  
THE BANK OF NEW YORK AS TRUSTEE )  
13 FOR THE CERTIFICATEHOLDERS OF )  
CWALT, INC., ALTERNATIVE LOAN )  
14 TRUST 2005-58, MORTGAGE PASS- )  
THROUGH CERTIFICATES, SERIES 2005- )  
15 58, a New York corporation, )  
16 )  
Plaintiff, )  
17 vs. )  
18 ESTATE OF WILLIAM BARRETT; an )  
individual; 2298 DRIFTWOOD TIDE TRUST, )  
19 a Nevada trust; DOES I-X, inclusive; and ROE )  
CORPORATIONS I-X, inclusive, )  
20 )  
Defendants. )  
21 )

Case No. 2:17-cv-01809-MMD-BNW

22 **STIPULATION AND ORDER TO EXTEND TIME TO (1) REPLY TO**  
23 **OPPOSITION TO MOTION FOR SUMMARY JUDGMENT AND**  
**(2) RESPOND TO COUNTERMOTION TO AMEND COMPLAINT**  
24 **(First Request)**

25 COMES NOW Plaintiff, THE BANK OF NEW YORK MELLON (“BONY”), and  
26 Defendant, 2298 DRIFTWOOD TIDE TRUST (“*Driftwood Trust*”), by and through their  
27 undersigned counsel, and hereby stipulate and agree as follows:

- 28 1. On July 19, 2019, Driftwood Trust filed a Motion to Dismiss or, Alternatively,

1 Motion for Summary Judgment herein. [ECF #19, 20].

2 2. On August 16, 2019, BONY filed an Opposition to said Motions, together with a  
3 Countermotion to Amend its Complaint. [ECF #29, 30].

4 3. Driftwood Trust's Reply to BONY's Opposition and Response to the  
5 Countermotion to Amend Complaint are both presently due on August 30, 2019.

6 4. As a result of numerous other pending work and personal obligations, including  
7 appellate briefs and motion practice in other cases, Driftwood Trust's counsel has  
8 requested an extension of time in which to file its Reply and Response.

9 5. Driftwood Trust shall be granted an extension of time in which to file its Reply to  
10 BONY's Opposition and Response to the Countermotion to Amend Complaint  
11 until and including September 16, 2019.

12 6. This Stipulation is made in good faith and not for purpose of delay.

13 Dated this 22<sup>nd</sup> day of August, 2019.

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AKERMAN, LLP

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23 **Attorney for Plaintiff**  
24 **Bank of New York Mellon**

25 IT IS SO ORDERED.

26 By:   
27 Judge, U.S. District Court

28 Dated: August 22, 2019

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